DMH/CAE/bmw/(dc)

PATENT APPLICATION DOCKET NO.: 1440.1038-003

# AF

## NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mapplicants:

Mustapha Abdelouahed and John W. Lawler

Serial No.:

10/084,832

Group:

1641

Filed:

February 27, 2002

Examiner:

D. A. Davis

Confirmation No.:

5718

For:

DIAGNOSTIC ASSAY FOR TYPE 2 HEPARIN-INDUCED THROMBOCYTOPENIA

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

June 25, 2004

is being filed concurrently herewith.

Signature

<u>BeverlyWeinberger</u>

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

06/30/2004 YPOLITE1 00000023 10084832

01 FC:2253 02 FC:2401 475.00 OP 165.00 OP

Sír:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated December 30, 2003 of the Examiner finally rejecting claims 1-7 and 34-37. The item(s) checked below are appropriate:

1.	[X]	Applicant hereby petitions to extend the time for filing a Notice of Appeal in response to the Office Action Made Final dated December 30, 2003 for three months from March 30, 2004 to June 30, 2004.						
2.	[]	A [ ] month extension of time to respond to the Office Action Made Final dated [ ] was filed on [ ] with payment of a \$[ ] fee.						
	·	[ ] Applicant hereby petitions for an additional [ ] month extension of time to respond to the Office Action Made Final.						
3.	[ ]	A Request for Oral Hearing before the Board of Patent Appeals and Interferences						

4.	Fees are submitted for the following:								
	[X]	Extension of Time for three months						475	
	[]	Additional Extension of Time:							
		Fee for Extension	([	] mo.)	\$				
		Less fee paid	([	] mo.)	- \$				
		Balance of fee due					\$	0	
	[X]	Notice of Appeal					\$	165	
	[]	Other					\$		
						TOTAL	\$	640	
[X] A check in the amount of \$640.00 is enclosed.  [ ] Please charge Deposit Account No. 08-0380 in the amount of \$[ ].  Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.									
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Concord, MA 01742-9133
Date: June 25, 2004